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   United States Attorney
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   Assistant United States Attorney
3 Chief, Civil Division
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9   UNITED STATES DISTRICT COURT

10   NORTHERN DISTRICT OF CALIFORNIA

11   SAN JOSE DIVISION   *E-FILED - 5/10/07*

12 WEI XU,   )
)
13   Plaintiff,   ) No. C 07-0876 RMW
)
14   v.   )
)
15 ALBERTO GONZALES, Attorney General of the) **STIPULATION TO DISMISS AND**
   United States; MICHAEL CHERTOFF, Secretary) **[PROPOSED] ORDER**
16 of the Department of Homeland Security;   )
   EMILIO GONZALEZ, Director of United States)
17 Citizenship and Immigration Services;   )
   ROBERT MUELLER, Director of the Federal   )
18 Bureau of Investigation; CHRISTINA POULOS,)
   Acting Director of the California Service Center,)
19   )
              Defendants.   )
20 _____)

21   Plaintiff, by and through his attorney of record, and Defendants, by and through their

22 attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-

23 entitled action without prejudice in light of the fact that the United States Citizenship and

24 Immigration Services is now prepared to adjudicate plaintiff's application for naturalization and

25 agrees to adjudicate such application within 30 days of the dismissal of this action.

26   Each of the parties shall bear their own costs and fees.

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Stipulation for Dismissal
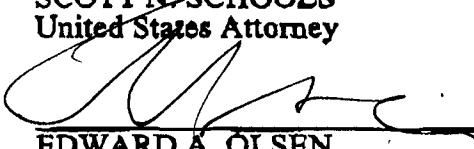C 07-0876 RMW

1   Date: April 22, 2007   Respectfully submitted,

2   SCOTT N. SCHOOLS
                              United States Attorney

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                              EDWARD A. OLSEN

5   Assistant United States Attorney
                              Attorneys for Defendants

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8   Date: April 27, 2007   TRICIA WANG
                              Attorneys for Plaintiff

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10   **ORDER**

11   Pursuant to stipulation, IT IS SO ORDERED.

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13   Date: 5/10/07
                              RONALD M. WHYTE
                              United States District Judge

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Stipulation for Dismissal
C 07-0876 RMW